

<b>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</b> ZEV SHECHTMAN (State Bar No. 266280) zs@DanningGill.com DANIELLE R. GABAI (State Bar No. 339242) dgabai@DanningGill.com DANNING, GILL, ISRAEL & KRASNOFF, LLP 1901 Avenue of the Stars, Suite 450 Los Angeles, California 90067 Telephone: (310) 277-0077 Facsimile: (310) 277-5735		<b>FOR COURT USE ONLY</b>	
<input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Richard K. Diamond, Chapter 7 Trustee			
<b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION</b>			
In re:  RAUL M. CONTRERAS,          Debtor(s).		CASE NO.: 2:09-bk-31605-SK CHAPTER: 7	
		<b>NOTICE OF SALE OF ESTATE PROPERTY</b>	
<b>Sale Date:</b> 05/04/2022		<b>Time:</b> 10:00 am	
<b>Location:</b> Zoom			

**Type of Sale:** ☒ Public ☐ Private **Last date to file objections:** April 23, 2022

**Description of property to be sold:**

All of the Estate's right, title and interest in the promissory note secured by a deed of trust (the Sherman Way Note) and the monthly installments thereunder (the Settlement Payments), pursuant to the Settlement Agreement. Additional information regarding the asset is available upon request via email to Danielle Gabai at dgabai@DanningGill.com. See also attached Notice of Intent to Sell Estate Property.

**Terms and conditions of sale:**

As is, where is, with all faults, without warranty, representation, or recourse, free and clear of any and all liens, claims and interests. Good faith deposit of 20% of purchase price required. Deposit shall be nonrefundable, unless another party overbids or the Trustee rejects the offer. Offer must be non-contingent and all cash to the Estate. Sale is subject to Bankruptcy Court approval. See also attached Notice of Intent to Sell Estate Property.

**Proposed sale price:** \$78,670.22

**Overbid procedure (if any):** Subject to overbid.

**If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:**

Sale free and clear of liens, claims, or other interests, will be conducted via Zoom on May 4, 2022, at 10:00 a.m. (the "Auction"). Qualified bidders as defined in the attached Notice of Intent to Sell Estate Property will be given confirmation of their participation by the Trustee, and instructions regarding attendance at the auction, at least 48 hours before the Auction. The Auction will be subject to final confirmation by the Bankruptcy Court after notice and a hearing pursuant to 11 U.S.C. section 363.

**Contact person for potential bidders (include name, address, telephone, fax and/or email address):**

Danielle R. Gabai  
Danning, Gill, Israel & Krasnoff, LLP  
1901 Avenue of the Stars, Suite 450  
Los Angeles, California 90067  
(310) 277-0077  
dgabai@DanningGill.com

Date: 04/06/2022

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10 Attorneys for Richard K. Diamond,  
11 Chapter 7 Trustee

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**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**LOS ANGELES DIVISION**

In re

RAUL M. CONTRERAS,  
  
Debtor.

Case No. 2:09-bk-31605-SK

Chapter 7

**TRUSTEE'S NOTICE OF INTENTION  
TO SELL ESTATE PROPERTY**

**TO ALL INTERESTED PARTIES:**

**NOTICE IS GIVEN** that unless an objection is made and a hearing is timely requested by a party in interest, Richard K. Diamond, the Chapter 7 trustee (the "Trustee") for the estate of Raul M. Contreras (the "Debtor"), intends sell all of the Estate's right, title and interest in the Asset described below.

**NOTICE IS FURTHER GIVEN PURSUANT TO LBR 6004-1(d), AS FOLLOWS:**

The Trustee intends to sell all of the Estate's right, title and interest in the promissory note secured by a deed of trust (the "Sherman Way Note") and the monthly installments thereunder (the "Settlement Payments") (collectively the "Asset"), pursuant to the Trustee's settlement agreement with Gabriel Huerta and Salsa & Beer, Inc., approved by the Court on or about July 3, 2019 by the motion and order appended to the attached sale memorandum (the "Settlement Agreement"). The

1 attachment is voluminous and therefore is not being served on all creditors, however it is available  
2 upon request to the undersigned counsel for the Trustee. Pursuant to the Settlement Agreement and  
3 the Amortization Schedule attached thereto, as of April 11, 2022, a balance of \$157,340.44 remains  
4 on account of the Sherman Way Note. The Settlement Payments consists of: (a) monthly payments  
5 of \$1,199.10 through May 11, 2022; (b) monthly payments of \$1,169.12 beginning July 30, 2022  
6 through March 30, 2025; and (c) a balloon payment of \$138,546.24 on April 30, 2025.

7 The Trustee has marketed the Asset and has not yet identified a buyer. The Trustee is  
8 providing notice of the sale of the Asset to creditors and potential buyers by this notice.

9 The Trustee intends to sell the Asset free and clear of liens, claims, or other interests. In the  
10 case of multiple interested buyers, the sale will be subject to an auction, conducted via Zoom, on  
11 May 4, 2022 at 10:00 a.m. (the "Auction"). To the extent the Trustee receives multiple qualified  
12 bids and/or is contacted by potential over-bidders, the Trustee will bring a motion set for hearing in  
13 compliance with LBR 9013-1(d) and 6004-1(d)(1), to confirm the sale to the successful buyer. The  
14 Asset is to be sold on an "as-is" "where-is," and "with-all-faults" basis, without any warranty or  
15 recourse of any kind, without any contingencies. The Trustee is informed based on his review of  
16 the title records that, although the Asset itself is not subject to any liens, the underlying real  
17 property securing the Asset may be secured by other liens. The Trustee makes no representations  
18 or warranties whatsoever regarding the priority of the Estate's lien.

19 A qualified bidder shall submit a bid of no less than \$78,670.22 to the Trustee in writing, in  
20 advance of the date and time of the Auction. The bid shall state the purchase price and  
21 acknowledge and accept the terms hereof. A qualified bidder shall submit a 20% deposit to the  
22 Trustee by wire transfer or cashier's check. Deposit shall be nonrefundable unless the Trustee  
23 rejects the offer, accepts a higher offer, or the sale is denied by the Court for any reason other than  
24 the action or inaction of the bidder. Offers must be non-contingent and all cash to the Estate. The  
25 Auction will be subject to final confirmation by the Bankruptcy Court after notice and a hearing  
26 pursuant to 11 U.S.C. section 363. The balance of the purchase price must be paid in full in good  
27 funds to the Trustee by the 15<sup>th</sup> calendar day following the entry of the order confirming the sale.  
28 If such funds are not timely paid, the deposit will be forfeited and the Trustee may sell the Asset to

1 the next highest bidder or pursuant to a new sale, in the Trustee's discretion. Unsuccessful bidders  
2 may be eligible to serve as backup bidders, at their selection, in which case their deposits will not  
3 be refunded until the close of the sale to the successful bidder. No commissions, fees or other costs  
4 of sale are expected. The Trustee, subject to Court approval, has discretion to determine the  
5 qualifications of any bidder.

6 The Trustee is investigating the tax consequences to the Estate and will update the Court if  
7 he determines that there are tax consequences.

8  
9 **PLEASE TAKE FURTHER NOTICE** that pursuant to Local Bankruptcy Rule 6004-  
10 1(d)(2) and 9013-1(o)(3), any objection and request for a hearing must, not later than fourteen days  
11 from the date of service of this notice, plus an additional three days if served by mail,  
12 electronically, or pursuant to Fed. R. Civ. P. 5(b)(2)(D), (E), or (F), be filed with the Clerk of the  
13 Bankruptcy Court and served on: (1) Richard K. Diamond, Chapter 7 Trustee, 1901 Avenue of  
14 the Stars, Suite 450, Los Angeles, California 90067-6006; (2) the Trustee's general counsel,  
15 Zev Shechtman and Danielle R. Gabai, Danning, Gill, Israel & Krasnoff, LLP, 1901 Avenue of the  
16 Stars, Suite 450, Los Angeles, California 90067-6006; and (3) the Office of the United States  
17 Trustee at 915 Wilshire Blvd., Suite 1850, Los Angeles, California 90017.

18  
19 DATED: April 6, 2022

DANNING, GILL, ISRAEL & KRASNOFF, LLP

20  
21 By: /s/ Danielle R. Gabai  
22 DANIELLE R. GABAI  
23 Attorneys for Richard K. Diamond,  
24 Chapter 7 Trustee

25 DATE OF MAILING : April 6, 2022  
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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (*specify*): TRUSTEE'S NOTICE OF INTENTION TO SELL ESTATE PROPERTY will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) April 6, 2022 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:** On April 6, 2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by causing to be placed a true and correct copy thereof (without attachment) in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page.

**3. SERVED BY EMAIL:** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on April 6, 2022, I served the following persons and/or entities by email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Gabriel Rabbanian gabrielrabbanian@gmail.com  
Wilshire Financial Network wfn32it@gmail.com  
Jane Mitnick JMitnick@SMFinancialServicesCorp.com; SMitnick@MMPCLawFirm.com  
Brian B. Pastor, Esq. BPastor@TLawyer.com

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

April 6, 2022

*Date*

Beverly Lew

*Printed Name*

/s/ Beverly Lew

*Signature*

ADDITIONAL SERVICE INFORMATION (if needed):

**1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (“NEF”)**

George A Bilal on behalf of Defendant Salsa & Beer, Inc., a California corporation  
marynblaw@gmail.com, marynblaw@gmail.com

George A Bilal on behalf of Defendant Gabriel Huerta  
marynblaw@gmail.com, marynblaw@gmail.com

Nancy K Curry on behalf of Trustee Nancy K Curry (TR) TrusteeECFMail@gmail.com

Richard K Diamond (TR)  
RKDTrustee@DanningGill.com, rdiamond@ecf.axosfs.com;DanningGill@Gmail.com

Richard K Diamond (TR) on behalf of Trustee Richard K Diamond (TR)  
jlv@dgdgk.com, rdiamond@ecf.axosfs.com;DanningGill@Gmail.com

Sheryl K Ith on behalf of Creditor Chrysler Financial Services Americas LLC  
sith@cookseylaw.com, sith@ecf.courtdrive.com

Merdaud Jafarnia on behalf of Creditor Deutsche Bank National Trust Company, as Trustee for  
Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2003-AR1,  
its assignees and/or successors  
bknotice@mccarthyholthus.com, mjafarnia@ecf.inforuptcy.com

Sylvia Lew on behalf of Debtor Raul M Contreras  
Sylvialew@tilemlaw.com,  
malissamurguia@tilemlaw.com;joanfidelson@tilemlaw.com;sylvialew@ecf.inforuptcy.com;joanfidel  
son@ecf.inforuptcy.com;malissamurguia@ecf.inforuptcy.com;sylviatilemlaw@gmail.com;lewsr694  
50@notify.bestcase.com

Joe M Lozano, Jr on behalf of Creditor American Home Mortgage Servicing, Inc.  
notice@NBSDefaultServices.com

Kelly L Morrison on behalf of U.S. Trustee United States Trustee (LA)  
kelly.l.morrison@usdoj.gov

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tom@ssmlaw.com

Thomas R Mulally on behalf of Creditor Frances Coons tom@ssmlaw.com,  
tom@ssmlaw.com

Thomas R Mulally on behalf of Creditor Julian Getz tom@ssmlaw.com, tom@ssmlaw.com

Thomas R Mulally on behalf of Creditor Macy Baum tom@ssmlaw.com, tom@ssmlaw.com

Thomas R Mulally on behalf of Creditor Suzanne Baum tom@ssmlaw.com,  
tom@ssmlaw.com

Zev Shechtman on behalf of Plaintiff RICHARD K DIAMOND  
zshechtman@DanningGill.com, danninggill@gmail.com; zshechtman@ecf.inforuptcy.com

Zev Shechtman on behalf of Plaintiff Richard K. Diamond, as Chapter 7 Trustee  
zshechtman@DanningGill.com, danninggill@gmail.com; zshechtman@ecf.inforuptcy.com

Zev Shechtman on behalf of Trustee Richard K Diamond (TR)  
zshechtman@DanningGill.com, danninggill@gmail.com; zshechtman@ecf.inforuptcy.com

Ramesh Singh on behalf of Interested Party Courtesy NEF claims@recoverycorp.com

Sonia Singh on behalf of Interested Party Courtesy NEF  
ssingh@DanningGill.com, amatsuoka@ecjlaw.com

Sonia Singh on behalf of Plaintiff Richard K. Diamond, as Chapter 7 Trustee  
ssingh@DanningGill.com, amatsuoka@ecjlaw.com

Sonia Singh on behalf of Trustee Richard K Diamond (TR)  
ssingh@DanningGill.com, amatsuoka@ecjlaw.com

David A Tilem on behalf of Debtor Raul M Contreras  
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DavidTilem@ecf.inforuptcy.com; joanfidelson@tilemlaw.com; JoanFidelson@ecf.inforuptcy.com; DianaChau@tilemlaw.com

United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov

## **2. SERVED BY U.S. MAIL**

Raul M Contreras  
1108 Glenview Rd.  
West Covina, CA 91791

The Honorable Sandra R. Klein  
U.S. Bankruptcy Court  
Roybal Federal Building  
255 E. Temple Street, Suite 1582  
Los Angeles, CA 90012

American Home Mortgage Servicing,  
Inc.  
4875 Belfort Road, Suite 130  
Jacksonville, FL 32256-6059

Chrysler Financial Services Americas  
LLC  
c/o Sheryl K. Ith  
Cooksey, Toolen, Gage, Duffy & Woog  
535 Anton Blvd. 10th Fl.  
Costa Mesa, CA 92626-1947

D&D Dreamers, Inc.  
1455 Cascade Canyon Dr  
Granada Hills, CA 91344

Franchise Tax Board  
Bankruptcy Section MS: A-340  
P.O. Box 2952  
Sacramento, CA 95812-2952

LEA Accountancy, LLP  
3435 Wilshire Boulevard  
Suite 990  
Los Angeles, CA 90010-1998

Employment Development Dept.  
Bankruptcy Group MIC 92E  
P.O. Box 826880  
Sacramento, CA 94280-0001

LVNV Funding LLC  
c/o Resurgent Capital Services  
P.O. Box 10587  
Greenville, SC 29603-0587

OFFICE OF FINANCE CITY OF  
LOS ANGELES  
200 N SPRING ST RM 101 CITY  
HALL  
LOS ANGELES CA 90012-3224

United States Trustee (LA)  
915 Wilshire Blvd, Suite 1850  
Los Angeles, CA 90017-3560



Los Angeles Division  
255 East Temple Street,  
Los Angeles, CA 90012-3332

AMERICAN HOME MORTGAGE  
SERVICING, INC.  
4875 BELFORT ROAD SUITE 130  
JACKSONVILLE, FLORIDA 32256-  
6059

AMERICREDIT FINANCIAL  
SERVICES DBA GM FINANCIAL  
PO BOX 183853  
ARLINGTON TX 76096-3853

CR Evergreen, LLC  
MS 550  
PO Box 91121  
Seattle, WA 98111-9221

American Home Mortgage Servicing, I  
P.O. Box 631730  
Irving, TX 75063-0002

Bank Of America  
P.O. Box 851001  
Dallas, TX 75285-1001

CHRYSLER FINANCIAL  
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FARMINGTON HILLS MI 48334-5310

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Celia And Julia Esther Contreras  
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For GE Money Bank  
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PO Box 960061  
Orlando FL 32896-0661

D & D DREAMERS, INC  
ULISES DURAN  
12455 CASCADE CANYON DRIVE  
GRANADA HILLS, CA 91344-1554

Fidelity Mortgage Lenders Inc  
c/o Spencer & Mulally  
14156 Magnolia Blvd Suite 200  
Sherman Oaks CA 91423-1182

Home Depot Credit Services  
P.O. Box 689100  
Des Moines, IA 50368-9100

GE Money Bank  
Care Credit  
P.O. Box 960061  
Orlando, FL 32896-0061

Gabriel Huerta  
Salsa & Beer, Inc.  
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Reseda, CA 91335-5644

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CENTRALIZED INSOLVENCY  
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PO BOX 7346  
PHILADELPHIA PA 19101-7346

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NORFOLK VA 23541-1067

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Resurgent Capital Services  
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Dallas, TX 75229-2636

DiCaro & Associates, LLC  
P.O. Box 6537  
Peoria, IL 61601

Tritan Investment Company  
7000 East Belleview, Suite 300  
Greenwood Village, CO

ASK Financial  
Insolvency Financial & Collection  
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Encino, CA 91436

SM Financial Services Corporation  
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19 Old Turnpike Road  
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Rick Wasser  
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